

VZCZCXYZ0000
OO RUEHWEB

DE RUEHBO #2920/01 2531411
ZNY CCCCC ZZH
O 101411Z SEP 09
FM AMEMBASSY BOGOTA
TO RUEHC/SECSTATE WASHDC IMMEDIATE 0590
INFO RUEHCV/AMEMBASSY CARACAS 2879
RUEHLP/AMEMBASSY LA PAZ SEP PANAMA 4319
RUEHQT/AMEMBASSY QUITO 0052
RUEHBR/AMEMBASSY BRASILIA 9125
RUEHGL/AMCONSUL GUAYAQUIL 4956
RUEKJCS/JOINT STAFF WASHINGTON DC
RUEKJCS/SECDEF WASHDC
RHEHNSC/NSC WASHDC
RUEAWJA/DEPT OF JUSTICE WASHDC
RHMFISS/HQ USSOUTHCOM MIAMI FL
RUEAIIA/CIA WASHDC

C O N F I D E N T I A L BOGOTA 002920

SIPDIS

E.O. 12958: DECL: 09/12/2019
TAGS: [PHUM](#) [PGOV](#) [KJUS](#) [PTER](#) [PREL](#) [ELAB](#) [CO](#)
SUBJECT: AUGUST HUMAN RIGHTS UPDATE

REF: A. BOGOTA 2839
[1](#)B. BOGOTA 2765
[1](#)C. BOGOTA 1047
[1](#)D. BOGOTA 2472

Classified By: Political Counselor Mark Wells,
Reasons 1.4 (b and d)

SUMMARY

[1](#)1. (C) The Acting Prosecutor General announced September 7 that members of the military are not suspects in the August 26 murder of 12 Awa indigenous in Narino. The United Nations High Commission for Human Rights (UNHCHR) Chief of Mission told us privately he is concerned military public posturing hampered the investigation. The Revolutionary Armed Forces of Colombia (FARC) continue to recruit minors, despite a new life imprisonment penalty. The Supreme Court overturned the Justice and Peace Law (JPL) conviction of Wilson Salazar Carrascal, alias El Loro, because the charges did not include conspiracy. End Summary.

AWA MASSACRE SYMBOLIC OF RISING VIOLENCE AGAINST INDIGENOUS

[1](#)2. (C) Acting Prosecutor General (Fiscal General) Guillermo Mendoza announced September 7 that there was no evidence of military involvement in the August 26 massacre of 12 Awa indigenous in Narino (REFS A, B). Mendoza attributed the crime to an extortion ring. UNHCHR Chief of Mission Salazar told Polcouns he resented the military's public relations spin to exonerate themselves. He affirmed he had not yet seen a military link to the crime, but believes the military's public posturing had hampered an the investigation that is still in its early stages. He pointed to early reports in the press that the Prosecutor General's Office had ruled out military involvement, which he claimed had "shut down" some witnesses because they did not believe the investigation would be objective. According to an Embassy Colombian National Police contact in the area, neighbors of the victims "believe the murders were a vengeance killing." The contact further stated that early allegations by the Awa of military involvement came from a "more radicalized" group who live further away from the scene of the crime. The Awa People's Indigenous Unit (UNIPA) announced 300 families have been displaced since the August 26 massacre because of security concerns. Prior to the Awa massacre, violence against indigenous communities was already up 93%, from 30 deaths in January to July 2008 to 58 deaths in the same

period this year according to the Presidential Human Rights Office.

CHILD RECRUITMENT RISING,
AS PENALTY STIFFENS TO LIFE IMPRISONMENT

¶3. (U) Beginning in November 2009, the penalty for leaders of illegal armed groups who use child soldiers will rise to life imprisonment. The GOC agreed to the International Penal Court's standard for child recruitment when it signed the Treaty of Rome in 2002, but the GOC reservation to the treaty delayed application to provide an incentive to illegal groups to free recruited children. The GOC is launching a national campaign to encourage the liberation of child soldiers before the reservation expires in November. The United Nations Children's Fund (UNICEF) estimates between 13,000 and 17,000 children are working for illegal groups--50% of which were recruited by the guerrilla group the Revolutionary Armed Forces of Colombia (FARC). The United Nations High Commission for Refugees (UNHCR) denounced August 11 the ongoing recruitment of indigenous children and linked the phenomenon to the displacement of 500 indigenous families. UNHCR reports that at least 27 different indigenous groups in Colombia are considered at risk of extinction largely as a result of threats from illegal armed groups and forced displacement.

¶4. (C) UNHCHR's Salazar showed us a letter from the FARC addressed to an indigenous community stating that child recruitment was a "policy" and warning the community not to challenge it. UNHCHR issued a press release on the status of indigenous in Colombia and condemned the FARC for its recruitment of minors. Salazar told Polcouns he felt his hands were tied by not being permitted to make a more direct plea to the FARC to dissuade them from employing child soldiers. He noted that the UNHCHR must comply with its mandate from the GOC not to engage in direct dialogue with the FARC.

JUSTICE AND PEACE LAW

¶5. (U) The Supreme Court overturned the Justice and Peace Law (JPL) conviction of Wilson Salazar Carrascal, alias El Loro, on August 18 (REF C). The Court argued the charges did not include conspiracy and therefore could not be considered valid. Salazar was the first individual to be convicted under the JPL. The Prosecutor General's Office argued that charging JPL participants with conspiracy will require even further investigations into the illegal activities of the former paramilitaries and that the decision would set a difficult precedent for investigating and charging demobilized members of the FARC.

VIOLENCE DOWN OVERALL,
BUT ALARMINGLY UP IN SOME AREAS

¶6. (U) The national homicide rate is down 2.8% from the same period last year and the rate of kidnapping is down by 35.8%, according to the Ministry of Defense. Still, violence in Medellin is growing at an alarming rate. The 1,080 homicides in Medellin in the first seven months of 2009 already surpass the 1,044 people killed in 2008. According to the Medellin commander of the Colombian National Police (CNP), General Dagoberto Garcia, the majority of the victims are young men involved in criminal gangs. Garcia announced a plan to confront the violence, including 1,300 police reinforcements, a campaign calling for citizen involvement, and improved technology.

¶7. (C) Organization of American States Mission for Support of the Peace Process (MAP/OAS) Senior Representative Marcelo Alvarez told Polcouns that murders--primarily for narcotics trafficking--are also up in Narino and Putumayo. He noted that some areas that were previously peaceful showed disturbing jumps in murders. Even though the majority of

those killed are narco-traffickers, Alvarez warned the deaths are weakening the social fabric and introducing a culture of violence to the next generation (SEPTTEL).

PROSECUTOR GENERAL ACHIEVES CONVICTIONS, REVIVES GALAN CASE

¶18. (U) Five members of the FARC received 30-year sentences for the October 2008 deaths of three indigenous in Riosucio (Caldas). Former paramilitary Jairo de Jesus Charris was convicted to 30 years in prison for his involvement in the March 2001 deaths of two Drummond labor leaders in Cesar (REF D).

¶19. (U) Former Administrative Department of Security (DAS) Director General Miguel Maza Marquez was detained August 18 for his alleged involvement in the 1989 assassination of presidential candidate Luis Carlos Galan.

NEW LAW TO CONFRONT SEXUAL TOURISM

¶10. (U) President Uribe signed a new law July 30 increasing the penalties for sexual tourism involving minors. The law includes the GOC's ability to confiscate profits from hotels and other establishments where sex with minors is performed.

SIXTH MEMBER OF CONGRESS CONVICTED

¶11. (U) Representative Karelly Lara Vence became the sixth member of Congress to be convicted in the para-political scandal. Lara was convicted August 19 of conspiracy and sentenced to six years in prison for her involvement with the North Bloc of the former paramilitary group United Self-Defense Forces of Colombia (AUC).

GOC CONFIRMS \$500 MILLION FOR IDPs IN 2010

¶12. (U) The GOC announced August 14 that despite fiscal restrictions it would follow through on its commitment to budget one billion pesos (approximately \$500 million USD) for assistance to Internally Displaced Persons (IDP) in 2010. This marks a twelve-fold increase in the IDP budget in 2003. Brownfield